REMARKS

In accordance with the foregoing, the specification and FIG. 4 have been amended. Claims 1-27 are pending, with claims 1, 8, 15, 24, and 27 being independent. No new matter is presented in this Amendment After Final Rejection.

Request for Personal Interview

MPEP 707.02 provides as follows on MPEP page 700-115:

> The supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them.
>
> The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution.
>
> Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort should be made to terminate its prosecution. In order to accomplish this result, the application is to be considered "special" by the examiner.

The present application has been pending for more than six years, during which time the Examiner has issued three non-Final Office Actions, four Final Office Actions, and two Advisory Actions, beginning with the first Office Action of August 10, 2005. In light of this, the applicants respectfully request a personal interview with the Examiner and his SPE, Kambiz Zand, to discuss the application with a view to finally concluding its prosecution pursuant to the guidelines set forth in MPEP 707.02.

Should the Examiner be ready to act on this Request for Reconsideration After Final Rejection before a personal interview has been scheduled, it is respectfully requested that the Examiner contact the undersigned attorney to schedule a personal interview to be conducted before the Examiner acts on the Request for Reconsideration After Final Rejection.

Specification and Drawing Amendments and Entry of Amendment After Final Rejection

Paragraph [0001] of the specification has been amended to correct typographical errors. FIG. 4 has been amended to correct a typographical error so that FIG. 4 with be consistent with paragraphs [0033], [0034], and [0040] of the specification. Accordingly, it is submitted that entry of this Amendment After Final Rejection is proper under 37 CFR 1.116(b) and MPEP 714.12 and 714.13.

Request for Consideration of Five Information Disclosure Statements

Five Information Disclosure Statements have been filed in the present application on October 2, 2002; January 30, 2003; April 16, 2004; August 2, 2004; and March 30, 2005, and are in the image file wrapper of the application. However, the Examiner has never considered these five Information Disclosure Statements. Accordingly, it is respectfully requested that the Examiner consider these five Information Disclosure Statements in the next Office Action, even if that Office Action is an Advisory Action.

Furthermore, should the Examiner determine that any of claims 1-27 are unpatentable over any of the references cited in the five Information Disclosure Statements, it is submitted that the Examiner will be required to reopen prosecution and issue a non-final Office Action applying the relevant reference or references since the five Information Disclosure Statements should have been considered in the first Office Action of August 10, 2005.

A copy of a European Search Report issued on July 4, 2002, in European Application No. 02251527.4 (in English) was submitted with the Information Disclosure Statement of October 2, 2002, and is in the image file wrapper of the application.

A copy of a Korean Office Action issued on November 25, 2002, in Korean Application No. 2001-0011980 (in Korean with complete English translation) was submitted with the Information Disclosure Statement of January 30, 2002, and is in the image file wrapper of the application.

A copy of a Chinese Office Action issued on January 16, 2004, in Chinese Application No. 02118690.1 (in Chinese with complete English translation) was submitted with the

Information Disclosure Statement of April 16, 2004, and is in the image file wrapper of the application.

A copy of a Japanese Office Action issued on May 16, 2004, in Japanese Application No. 2002-062618 (in Japanese, no English translation) was submitted with the Information Disclosure Statement of August 2, 2004, and is in the image file wrapper of the application.

A copy of a Japanese Office Action issued on January 4, 2005, in Japanese Application No. 2002-062618 (in Japanese, no English translation) was submitted with the Information Disclosure Statement of March 30, 2005, and is in the image file wrapper of the application.

However, the five documents referred to above were not listed in the Lists of References Cited by Applicant included in the Information Disclosure Statements of October 2, 2002; January 30, 2003; April 16, 2004; August 2, 2004; and March 30, 2005. Accordingly, attached hereto is a List of References Cited by Applicant listing these five documents so that the Examiner can indicate that these five documents have been considered.

Allowable Subject Matter

In paragraph 4 on page 3 of the Final Office Action, the Examiner states as follows:

> After closer review of the claims, if the content of claims 2 and 7 are included in claim 1 and in the other independent claims, Examiner would reconsider the allowability if the search of this language does not yield any new references.

Thus, it appears that the Examiner considers the combination of independent claim 1 and dependent claims 2 and 7 to recite allowable subject matter. It is noted that claim 7 already recites this combination of allowable subject matter because claim 2 depends from claim 1, and claim 7 depends from claim 2 via claims 3 and 4. In light of this, it is not understood why the Examiner has rejected claim 7 under 35 USC 103(a) as being unpatentable over Katz in view of Kanota and Fuchigami, rather than indicating that claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of base claim 1 and intervening claims 2-4. Clarification of this is respectfully requested in the next Office Action, even if that Office Action is an Advisory Action.

Claim Rejections Under 35 USC 103(a)

Rejection 1

Claims 1, 6, 8, 9, 11-13, 15, and 16 have been rejected under 35 USC 103(a) as being unpatentable over Katz et al. (Katz) (U.S. Patent No. 5,926,624) in view of Kanota et al. (Kanota) (U.S. Patent No. 5,991,500).

However, it appears that the Examiner has also included claim 10 in this rejection since the Examiner has provided an explanation of the rejection of claim 10 in paragraph 10 on page 5 of the Final Office Action. Confirmation of this is respectfully requested in the next Office Action, even if that Office Action is an Advisory Action.

The apparent rejection of claim 1, 6, 8-13, 15, and 16 is respectfully traversed.

Claims 1, 8, and 15

It is submitted that Katz and Kanota do not disclose or suggest the following features of independent claim 1:

> wherein the copyright information includes original copyright information which, when processed by a processor, is used to identify at least a copyright owner of the original content, and remake copyright information which, when processed by the processor, is used to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content.

The Examiner considers Katz to disclose a portion of these features of claim 1, stating as follows:

> Katz teaches . . . wherein the copyright information includes original copyright information which, when processed by a processor, is used to identify at least a copyright owner of the original content and remake copyright information which (Katz, Col. 7 Lines 10 – 16), but fails to teach when processed by the processor, causes the processor to identify at least a maker of the remake content representing a user that is different from the copyright owner of original content.

Column 7, lines 10-16, of Katz relied on by the Examiner reads as follows:

> The preview clips 324 are not compressed or scrambled in the preferred embodiment. The template header 312 remains with the digital information file as it is transferred to the network 240 or mass storage media 241. The other descriptive information related to a digital information file is typically stored with digital information file, but is not required to be so stored.

However, it is not seen where this passage of Katz discloses any kind of copyright information, let alone "copyright information [that] includes original copyright information . . . and remake copyright information" as recited in claim 1. Nor has the Examiner explained why he considers this passage of Katz to disclose these features of claim 1.

The only place that the word "copyright" appears in Katz is in the following passage in column 6, lines 47-61, of Katz (emphasis added):

> Each digital information file includes a template header, a descrambling map, selected preview clips, and the digital information programming itself. In the preferred embodiment, the template header comprises a number of attributes corresponding to the digital information in the file. For example, the digital information may be audio information generated from the content of a book or other published work. In this example, the audio file template header contains attributes including: 1) the title of a book, volume, or medium from which the digital information content originated, 2) the legal copyright associated with the digital information content, 3) audible title(s) of the content, 4) a table of contents of the content, and 5) playback settings for appropriately playing or rendering the digital information.

The Examiner considers the preview clips referred to in the above passage of Katz to be "remake content" as recited in claim 1. FIG. 3 of Katz shows that the preview clips 324 are generated by the preview generator 323 from the digital information content 310, which, in the above passage of Katz, is the "audio information generated from the content of a book or other published work." Thus, the Examiner apparently considers the digital information content 310 in FIG. 3 of Katz to be "original content" as recited in claim 1, although the Examiner did not specifically state this in explaining the rejection. Accordingly, it is respectfully requested that the Examiner specifically identify which element of Katz he considers to be "original content" as recited in claim 1 in the next Office Action, even if that Office Action is an Advisory Action.

However, assuming *arguendo* that the Examiner does in fact consider Katz's digital information content 310 to be "original content" as recited in claim 1, and that "the legal

copyright associated with the digital information content" referred to in the above passage of Katz may arguably be considered to be "original copyright information" as recited in claim 1, it is submitted that Katz does not disclose or suggest any other kind of copyright information that may arguably be considered to be "remake copyright information" as recited in claim 1.

Furthermore, as recognized by the Examiner, Katz does not disclose "remake copyright information which, when processed by the processor, is used to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content" as recited in claim 1. However, the Examiner considers this feature of claim 1 to be taught by Kanota, stating as follows:

> However in an analogous art Kanota et al. teaches [remake copyright information which,] when processed by the processor, causes the processor to identify at least a maker of the remake content representing a user that is different from the copyright owner of original content (Kanota, Col. 2 Lines 28 – 45).

Column 2, lines 28-45, of Kanota relied on by the Examiner reads as follows:

> An additional object of this invention is to provide copy protection for a video signal by superposing in that portion of the video signal which does not contain useful picture information both a copyright information signal (which indicates whether the viewable picture that may be produced from the video signal is subject to copyright) and a copy generation signal (which indicates the number of successive generations of copies that can be made from the video signal).
>
> Yet another object of this invention is to provide recording circuitry that detects the aforementioned copyright information and copy generation signals to selectively enable or inhibit recording of the video signal.
>
> Still another object of this invention is to provide a copy generation signal detector which selectively decrements the number of successive generations of copies indicated by the copy generation signal, thereby controlling subsequent re-recording of the video signal.

However, the copyright information signal referred to in the above passage of Kanota merely indicates whether the viewable picture that may be produced from the video signal is subject to copyright, and the copy generation signal referred to in the above passage of Kanota merely indicates the number of successive generations of copies that can be made from the

video signal. It is submitted that neither the copyright information signal nor the copy generation signal can arguably be considered to be "remake copyright information which, when processed by the processor, is used to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content" as recited in claim 1.

The copyright information signal and the copy generation signal referred to in the above passage of Kanota are described as follows in column 5, lines 4-29, of Kanota:

> In the embodiment illustrated in FIG. 1, a copyright information signal S_1 is superposed in line 20 of the first field and a copy generation signal S_2 is superposed in line 283 of the second field. That is, the twentieth line interval in each field has superposed therein the copyright information and copy generation signals S_1 and S_2, respectively. This is shown in greater detail in FIGS. 2 and 3.
>
> In accordance with one embodiment, the copyright information signal S_1 is a single bit and when the viewable picture which is reproduced from the video signal is subject to copyright, S_1 =1. If the viewable picture is not subject to copyright, S_1 =0.
>
> In the embodiment described herein, the copy generation signal S_2 also is formed as a single bit signal. When S_2 =0, a single generation of the video signal may be recorded; but when S_2 =1, no generations of the video signal may be made. More particularly, the video signal cannot be recorded if S_1 =1 and S_2 =1. Although the copy generation signal shown in FIGS. 1-3 indicates whether one generation or zero generations of the video signal may be made, in other embodiments described below the copy generation signal S_2 is a plural-bit signal indicative of a count identifying the number of generations of copies that may be made of the video signal. However, for simplification, it is assumed herein that the copy generation signal S_2 simply is a single bit signal.

In response to similar arguments presented on pages 11 and 12 of the Response After Final Rejection of March 14, 2008, the Examiner states as follows on page 2 of the Final Office Action of April 10, 2008:

> The arguments filed After Final on 03/14/2008 have been considered and discussed with my SPE Kambiz Zand. In response to these arguments, Examiner is taking the time to clarify and modify the motivation of Katz and Kanota. Kanota teaches the superimposing of new copyright information. Katz teaches data with copyright information that includes the owner information. Kanota was brought into the rejection to show how

> new copyright information can be added to data. The combination of Katz's type of copyright information and Kanota's addition of new copyright information, teach the claim language of in [*sic*] claim 1, where "the processor to identify at least a maker of the remake content representing a user that is different from the copyright owner of original content," and similar language in the other independent claims. One of ordinary skill in the art would see that Kanota's addition of new copyright information, would include such information taught by Katz's copyright information, in particular the copyright information of the owner of the copyright or in Kanota's case the data of the owner superimposing new copyright information to the data. Thus teaching the part of the claim where there is an identification of an owner different from the original owner.

With respect to the Examiner's statement that "Kanota teaches the superimposing of new copyright information," the only places that Kanota mentions "new copyright information" is in column 11, lines 12-15 and 27-31; column 12, lines 27-28; column 16, lines 55-58; and claims 20 and 47. However, this "new copyright information" is merely a regenerated version of the original copyright information signal S1, which continues to indicate whether a viewable picture that may be produced from a video signal is copyrighted, and an updated version of the copy generation signal S2, which indicates a remaining number of copies that may be made of the video signal. See, for example, column 11, lines 22-33, of Kanota, which discusses FIG. 22 of Kanota and read as follows:

> However, if inquiry 104 indicates that S_2 =0, thus representing that one generation of copies may be made from the input video signal, the routine advances to instruction 106 which modifies the state of the copy generation signal from S_2 =0 to S_2 =1. Additionally, the copyright information signal S_1 is regenerated as S_1 =1. Mixer 17 superposes the new copyright information and copy generation signals S_1 =1 and S_2 =1 onto the non-picture portion of the video signal supplied by input terminal A, and the resultant, or processed, video signal is recorded on magnetic medium 13, as represented by instruction 107.

See also claim 20 of Kanota, which read as follows:

> 20. The method of claim 19 wherein said step of modifying the predetermined bits comprises generating new copy generation information indicative of one less than the number of successive generations of copies which are indicated by the detected copy generation information, and superposing said new copy generation information in said VBID data of the video signal.

Thus, Kanota's "new copyright information" is not "remake copyright information which, when processed by the processor, is used to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content, as recited in claim 1.

The Examiner's position appears to be that Kanota's teaching of superimposing new copyright information would have motivated one of ordinary skill in the art to modify the template generator 312 in FIG. 3 of Katz to superimpose new copyright information identifying the maker of the preview clips 324, which the Examiner considers to be "remake content" as recited in claim 1, because the template generator 312 because "Katz teaches data with copyright information that includes the owner information," by which the Examiner presumably means the statement "the audio file template header [generated by the template generator 312] contains attributes including: . . . 2) the legal copyright associated with the digital information content [310]" in column 6, lines 54-58, of Katz.

However, it is submitted that nothing whatsoever in Katz and Kanota would have motivated one of ordinary skill in the art to modify Katz in the manner apparently proposed by the Examiner so as to arguably provide "remake copyright information which, when processed by the processor, is used to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content" as recited in claim 1.

Katz arguably discloses making remake content (the preview clips 324 in FIG. 3) from original content (the digital information content 310 in FIG. 3), and discloses generating (using the template header generator 312 in FIG. 3) a template header containing an attribute including the legal copyright associated with the digital information content 310. Kanota does not disclose making remake content from original content, but merely discloses copying a video signal, and discloses superimposing new copyright information on the copied video signal that includes a copyright information signal S_1 that merely indicates whether the viewable picture that may be produced from the copied video signal is subject to copyright, and a copy generation signal S_2 that merely indicates the remaining number of successive generations of copies that can be made from the copied video signal.

Accordingly, it is submitted that if one of ordinary skill in the art were to modify Katz's apparatus based on Kanota's teaching of superimposing new copyright information, he or she would modify the template generator 312 in FIG. 3 of Katz to superimpose new copyright

information including Kanota's copyright information signal S_1 to indicate whether the digital information file generating by the authoring system 280 in FIG. 3 of Katz is subject to copyright, and Kanota's copy generation signal S_2 to indicate the remaining number of successive generations of copies that can be made from the digital information file, rather than superimposing new copyright information identifying the maker of the preview clips 324 as apparently proposed by the Examiner.

Accordingly, for at least the foregoing reasons, it is submitted that Katz and Kanota do not disclose or suggest the following features of claim 1 discussed above:

> wherein the copyright information includes original copyright information which, when processed by a processor, is used to identify at least a copyright owner of the original content, and remake copyright information which, when processed by the processor, is used to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content,

or the following similar features of independent claim 8:

> wherein the copyright information includes original copyright information to identify at least a copyright owner of the original content, and remake copyright information to identify at least a maker of the remake content on the recording medium representing a user that is different from the copyright owner of the original content,

or the following similar features of independent claim 15:

> a processor to generate copyright information including original copyright information used to identify at least a copyright owner of the original content, and remake copyright information including identification information relating to said apparatus on the remake content that is different from the copyright owner of the original content.

Claims 6 and 13

It is submitted that Katz and Kanota do not disclose or suggest the following features of dependent claim 6:

> wherein the remake content is recorded in at least one audio packet containing audio data, and the original copyright information and the remake copyright information are recorded in a private header containing header information on the remake content,

or the following features of independent claim 13:

> wherein during the recording of the remake content, the remake content is recorded as at least one audio packet containing the remake content, and during the recording of original copyright information to identify at least a copyright owner of the original content and remake copyright information to identify at least a maker of the remake content, original copyright information and remake copyright information are recorded in a private header for at least one audio packet in which the remake content is recorded.

The Examiner considers column 6, lines 55-61, and column 9, lines 1-6, of Katz to disclose the "audio packet" and "private header" features of claims 6 and 13. Column 6, lines 55-61, of Katz relied on by the Examiner contains part of the following sentence in column 6, lines 54-61, of Katz:

> In this example, the audio file template header contains attributes including: 1) the title of a book, volume, or medium from which the digital information content originated, 2) the legal copyright associated with the digital information content, 3) audible title(s) of the content, 4) a table of contents of the content, and 5) playback settings for appropriately playing or rendering the digital information.

Column 9, lines 1-6, of Katz relied on by the Examiner reads as follows:

> for a desired program, previewing a selected preview clip associated with a digital information file 262, purchasing a selected program, requesting operating code segments or player configuration data, and downloading the purchased program or other material to the requesting client computer system 214.

However, it is submitted that neither these passages of Katz nor any other portion of Katz discloses or suggests a "packet," or an "audio packet," or a "private header" as recited in claims 6 and 13. Nor did the Examiner explain why he considers these passages of Katz to disclose these features of claims 6 and 13.

Conclusion—Rejection 1

For at least the foregoing reasons, it is respectfully requested that the apparent rejection of claims 1, 6, 8-13, 15, and 16 (i.e., claims 1, 6, 8, 13, and 15 discussed above and claims 9-12 and 16 depending from claims 8 and 15) under 35 USC 103(a) as being unpatentable over Katz in view of Kanota be withdrawn.

Rejection 2

Claims 2-5, 7, 19-22, and 26 have been rejected under 35 USC 103(a) as being unpatentable over Katz in view of Kanota and Fuchigami et al. (Fuchigami) (U.S. Patent No. 5,960,398).

However, it appears that the Examiner has also included claim 14 in this rejection since the Examiner has provided an explanation of the rejection of claim 14 in paragraph 16 on page 6 of the Final Office Action. Confirmation of this is respectfully requested in the next Office Action, even if that Office Action is an Advisory Action.

Also, although no explanation of the rejection of claim 26 appears in paragraphs 16-23 on pages 6-8 of the Final Office Action in which the Examiner explains the rejection of claims 2-5, 7, and 19-22 under 35 USC 103(a) as being unpatentable over Katz in view of Kanota and Fuchigami, an explanation of the rejection of claim 26 does appear in paragraph 32 on page 12 of the Final Office Action following the explanation of the rejection of claim 23 under 35 USC 103(a) as being unpatentable over Katz in view of Kanota, Bersson, and Fuchigami. Thus, it appears that paragraph 32 containing the explanation of the rejection of claim 26 is misplaced and was actually intended to follow paragraph 23 on page 8 of the Final Office Action containing the explanation of the rejection of claim 22. Confirmation of this is respectfully requested in the next Office Action, even if that Office Action is an Advisory Action.

The apparent rejection of claims 2-5, 7, 14, 19-22, and 26 is respectfully traversed.

Claims 2-5, 7, 14, and 19-22

Although the propriety of the rejection is not conceded, it submitted that dependent claims 2-5, 7, 14, and 19-22 depending directly or indirectly from claims 1, 8, 13, and 15 are

patentable over Katz, Kanota, and Fuchigami for at least the same reasons discussed above that claims 1, 8, 13, and 15 are patentable over Katz and Kanota.

Claim 26

Although the propriety of the rejection is not conceded, it submitted that dependent claim 26 is patentable over Katz, Kanota, and Fuchigami at least because Katz, Kanota, and Fuchigami do not disclose or suggest the following features recited in independent claim 24 from which claim 26 depends for at least the same reasons discussed above that Katz and Kanota do not disclose or suggest the similar features of claim 1:

> a reading unit to read copyright information on a remake content from said recording medium, including original copyright information to identify at least a copyright owner of the original content and remake copyright information to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content.

Also, it is submitted that Katz, Kanota, and Fuchigami do not disclose or suggest the following features of claim 24 from which claim 26 depends:

> a reading unit to read copyright information on a remake content from said recording medium . . . . [and]
>
> a processor to determine whether the remake content of the recording medium is reproducible based on the copyright information read from said reading unit, and if the remake content is reproducible, to issue a command to said reading unit to read the remake content,

as evidenced by the fact the Examiner relied on Bersson (U.S. Patent No. 6,081,897) to show these features of claim 24 from which claim 26 depends in the explanation of the rejection of claim 24 in paragraph 27 on pages 9 and 10 of the Final Office Action, which reads as follows in pertinent part:

> As per claim 24, Katz . . . fails to teach . . . a reading unit to read copyright information on a remake content from said recording medium and a processor to determine whether the remake content of the recording medium is reproducible based on the copyright information read from said reading unit and the remake content is reproducible, to issue a command to said reading unit to read the remake content. However, . . . Bersson

> teaches a reading unit to read copyright information on a remake content from said recording medium and a processor to determine whether the remake content of the recording medium is reproducible based on the copyright information read from said reading unit and the remake content is reproducible, to issue a command to said reading unit to read the remake content (Bersson, Col. 2 Lines 51 – 65).

However, the Examiner did not rely on Bersson in the rejection of claim 26, but relied only on Katz, Kanota, and Fuchigami, and the Examiner has not alleged that Katz, Kanota, and Fuchigami disclose or suggest the "reading unit to read copyright information on a remake content from said recording medium" and the "processor" recited in claim 26 by virtue of its dependency from claim 24.

Conclusion—Rejection 2

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 2-5, 7, 14, 19-22, and 26 under 35 USC 103(a) as being unpatentable over Katz in view of Kanota and Fuchigami be withdrawn.

Rejection 3

Claims 17, 18, 24, 25, and 27 have been rejected under 35 USC 103(a) as being unpatentable over Katz in view of Kanota and Bersson (U.S. Patent No. 6,081,897). This rejection is respectfully traversed.

Claims 17 and 18

Although the propriety of the rejection is not conceded, it submitted that dependent claims 17 and 18 depending directly or indirectly from claim 15 are patentable over Katz, Kanota, and Bersson for at least the same reasons discussed above that claim 15 is patentable over Katz and Kanota.

Claims 24 and 27

Although the propriety of the rejection is not conceded, it is submitted that Katz, Kanota, and Bersson do not disclose or suggest the following features of independent claim 24:

> a reading unit to read copyright information on a remake content from said recording medium, including original copyright information to identify at least a copyright owner of the original content and remake copyright information to identify at least a maker of the remake content representing a user that is different from the copyright owner of the original content,

or the following features of independent claim 27:

> reading copyright information from a recording medium, including original copyright information to identify at least a copyright owner of the original content and remake copyright information to identify at least a maker of the remake content recorded on the recording medium representing a user that is different from the copyright owner of the original content,

for at least the same reasons discussed above that Katz and Kanota do not disclose or suggest the similar features of independent claim 1.

Conclusion—Rejection 3

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 17, 18, 24, 25, and 27 (i.e., claims 17, 18, 24, and 27 discussed above and claim 25 depending from claim 24) under 35 USC 103(a) as being unpatentable over Katz in view of Kanota and Bersson be withdrawn.

Rejection 4

Claim 23 has been rejected under 35 USC 103(a) as being unpatentable over Katz in view of Kanota, Bersson, and Fuchigami. This rejection is respectfully traversed.

Although the propriety of the rejection is not conceded, it submitted that dependent claim 23 depending indirectly from claim 15 is patentable over Katz, Kanota, Bersson, and Fuchigami

for at least the same reasons discussed above that claim 15 is patentable over Katz and Kanota.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 23 under 35 USC 103(a) as being unpatentable over Katz in view of Kanota, Bersson, and Fuchigami be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

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